

REMARKS

State of the Claims

Claims 1-30 are pending. Claims 24-27 and 30 have been canceled without prejudice.

Information Disclosure Statement

The Examiner states that the IDS received on October 3, 2001 fails to comply with the provisions of 37 CFR § 1.97, 1.98 and MPEP § 609 because the three "sample" references do not include a date.

Applicants note that Applicant's Attorney was unable to provide the "publication" dates of the non-patent references because each of the references is a sample of competitive product having its origin outside of the control of Applicant's Assignee, namely, Procter & Gamble. Further, Applicant's Attorney is not privy to the internal release dates of competitive product. That being said then, the only control or knowledge that Applicants can reasonably be expected to hold is to ascertain whether the listed products existed in the public forum before the filing date of Applicants' application. Applicants determined that the listed products were in fact on sale before Applicants' filing date and in proper compliance with 37 C.F.R. § 1.56 listed the products in Applicants' Information Disclosure Statement.

Accordingly, Applicants believe that their IDS should be accepted and deemed proper by the Examiner.

Specification

The disclosure is objected to because of the following informalities: page 1 includes an attorney docket number which should be removed when referring to an application.

The attorney docket number has been removed. No new matter has been added. Therefore, Applicants respectfully request that the objection to the specification be removed by the Examiner.

Elections/Restrictions

Claims 24-27 and 30 which have been nonelected have been canceled without prejudice by Applicants.

SUMMARY

The amendments to the claims and the specification herein are meant to place the claims into better position for appeal in accordance with 37 CFR § 1.116(b).

Respectfully submitted,

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